

Notice of Allowability	Application No.	Applicant(s)	
	10/801,804	HARPER ET AL.	
	Examiner	Art Unit	
	Susan C. Alimenti	3644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications conducted 12/20/05.
2. ☒ The allowed claim(s) is/are 12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|---|

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Martin Korn on 20 December 2005.

2. The application has been amended as follows:

12. (Presently Amended) A pet shelter comprising:

a bottom member having an interior side wall, an exterior side wall and an edge including an interface lip;

a top member having an interior side wall, an exterior side wall and an edge including an interface lip;

a medial member having an interior side wall, and an exterior side wall and disposed between said top member and said bottom member, said medial member having a top edge including an interface lip and a bottom edge including an interface lip and being selectively attachable to said top member and to said bottom member in an assembled position of the shelter;

a lock for selectively interconnecting said bottom member to said bottom edge of said medial member and for selectively interconnecting and said top member to said top edge of said medial member;

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said lock including a tab disposed on said interior side wall of said top member adjacent to said top member interface lip and a tab disposed on said interior side wall of said medial member adjacent to said medial member bottom edge interface lip;

said medial member top edge interface lip including an aperture for receiving said top member tab to thereby selectively lock said top member to said medial member that said top member interface lip overlaps said medial member top edge interface lip to create a continuous surface between said top member exterior side wall and said medial member exterior side wall; and

said bottom member interface lip including an aperture for receiving said medial member tab to thereby selectively lock said bottom member to said medial member and such that said medial member bottom edge interface lip overlaps said bottom member interface lip to create a continuous exterior surface between said medial member exterior side wall and said bottom member exterior side wall [[.]] , and further including;

first and second ribs disposed on said interior side wall of said medial member and adjacent said medial member tab and third and fourth ribs disposed on said interior side wall of said top member and adjacent said top member tab, said first and second ribs being disposed adjacent said bottom member interface lip aperture and said third and fourth ribs being disposed adjacent said medial member top edge interface lip aperture when said members are in the assembled position of the shelter.

Claim 13 (canceled)

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4. The following is an examiner's statement of reasons for allowance: The prior art made of record fails to show a pet shelter having multiple layer members that are selectively interconnectable via a plurality of tabs disposed on an interior side wall of each member and adjacent a bottom interface lip, said tabs received by a plurality of apertures disposed in a top edge interface lip in a coordinating member, and further comprising a plurality of ribs placed adjacent the tabs and apertures.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan C. Alimenti whose telephone number is 571-272-6897. The examiner can normally be reached on Monday-Friday, 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu can be reached on 571-272-7045. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan C. Alimenti

A handwritten signature in black ink, appearing to read 'Teri Pham Luu', with a stylized flourish at the end.

TERI PHAM LUU
SUPERVISORY
PRIMARY EXAMINER